

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JORDAN WEXLER, individually, and on behalf
of all other similarly situated,

Plaintiff,

-against-

ANSWER

INDEX #: 16-CV-01739

PAUL MICHAEL MARKETING SERVICE, INC.,
D/B/A PAUL MICHAEL ASSOCIATES,
a New York Corporation,

Defendant(s).

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Paul Michael Marketing Service, Inc., d/b/a Paul Michael Associates, by their attorney
Drew Wasserman, Esq., respond to the Class Action Complaint as follows:

ADMISSIONS AND DENIALS

1. Defendant admits to allegations in Paragraphs 6 and 7 of plaintiffs complaint.
2. Defendant denies knowledge and information and belief to determine, at this stage of the proceedings, whether the allegations of Paragraphs 4, 5, 8, 13, 14, 17, 18 and 21 of the complaint are true or not. On this basis defendant denies the allegations of these paragraphs.
3. Defendant denies each and every allegation of Paragraphs 1, 2, 3, 9, 10, 11, 12, 15, 16, 19, 20, 22 and 23 of plaintiffs complaint.

AFFIRMATIVE DEFENSES

4. As and for a first affirmative defense, the defendant alleges the complaint fails to state a claim upon which relief may be granted.
5. As and for a second affirmative defense, the defendant alleges that if any violation


occurred it was not intentional and resulted from a bona fide error.

6. As and for a third affirmative defense, the defendant alleges that plaintiff's action was brought in bad faith and for the purpose of harassment and requests reasonable attorneys fees, costs and disbursements from the plaintiff.

Wherefore, Defendant respectfully requests that:

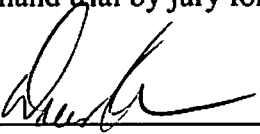
- A. Plaintiff take nothing by its complaint.
- B. Plaintiff's complaint be dismissed with prejudice.
- C. Defendant be awarded reasonable attorneys fees, costs and disbursements for plaintiff's bad faith action.
- D. Defendant be granted any other relief that the Court deems just and proper.

Date: Flushing, New York
April 21, 2016

X 
DREW WASSERMAN, ESQ.
Attorney for Defendant
186-09 Union Turnpike
Flushing, New York 11366
(718) 454-404

DEMAND FOR JURY

Defendant, Paul Michael Marketing Service, Inc., demand trial by jury for all triable issues in this action.

X 
DREW WASSERMAN, ESQ.

TO: The Law Offices of Shimshon Wexler, P.C.
216 W. 104th Street, #129
New York, New York 10025
Attn: Shimshon Wexler, Esq.

STATE OF NEW YORK }
 } S.S.:
COUNTY OF QUEENS }

CATHERINE GUTIERREZ, being duly sworn, deposes and says: I am not a party to this action, am over the age of 18 years and reside at Queens, New York.

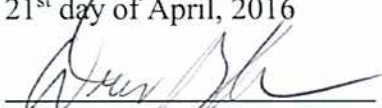
On 21st day of April, 2016 served a true copy of the **ANSWER**, in the following manner: by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the US Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated below:

TO: The Law Offices of Shimshon Wexler, P.C.
216 W. 104th Street, #129
New York, New York 10025
Attn: Shimshon Wexler, Esq.



CATHERINE GUTIERREZ

Sworn to before me this
21st day of April, 2016



NOTARY PUBLIC

DREW B. WASSERMAN
Notary Public, State of New York
No. 01WA4701643
Qualified in Queens County
Commission Expires April 30, 2019